







In re application of:

William R. BANDY et al.

Appl. No. 09/323,206

Filed: June 1, 1999

For:

System And Method For Electronic Inventory

Confirmation No. 8893

2765 Art Unit:

Examiner: James W. Myhre

Atty. Docket: 1689.0010001

Information Disclosure Statement

Commissioner for Patents Washington, D.C. 20231

Sir:

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GROUP 3600

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- □ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- □ 2. Filing under 37 C.F.R. § 1.97((b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - □ a. Statement under 37 C.F.R. § 1,97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to

the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- □ b. Statement under 37 C.F.R. § 1,97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- c. Attached is our Check No. 37366 in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).
- □ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our Check No. ______ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
 - □ a. Statement under 37 C.F.R. § 1,97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - □ b. Statement under 37 C.F.R. § 1,97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

- □ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- □ 6. A concise explanation of the relevance of the non-English language document(s) appears below:
- □ 7. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _______, filed ______, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Robert Sokohl

Attorney for Applicant

Registration No. 36,013

Date: 11/19/02

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November 19, 2002

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Art Unit: 2765

Commissioner for Patents Washington, D.C. 20231

> U.S. Utility Patent Application Re:

> > Appl. No. 09/323,206; Filed: June 1, 1999

System And Method For Electronic Inventory

Inventor(s):

BANDY et al.

Our Ref:

1689.0010001

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Fee Transmittal Form;
- 2. Second Supplemental Information Disclosure Statement;
- 3. Form PTO-1449 listing **TWO** (2) documents (1 page);
- 4 Copy of the TWO (2) cited documents as listed on Form PTO-1449;
- Our check no. 37366 in the amount of \$180.00 to cover:
 - IDS Fee; and a.
- 6. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Sterne, Kessler, Goldstein & Fox PLLC. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 f 202.371.2540 : www.skgf.com

Commissioner for Patents November 19, 2002 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Robert Sokohl Attorney for Applicant Registration No. 36,013

RES/mjg Enclosures SKGF_DC1:72100.1

Approved for use through 10/31/2002.

202-371-2600

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Name (Print/Type)

Application Number 09/323,206 **Filing Date** June 1, 1999 First Named Inventor BANDY et al. **Examiner Name** James W. Myhre 2765

Complete if Known

1689.0010001

Group Art Unit TOTAL AMOUNT OF PAYMENT Attorney Docket No.

\$180.00 METHOD OF PAYMENT (check one) FEE CALCULATION (continued) ADDITIONAL FEES The Commissioner is hereby authorized to charge Large Entity Small Entity indicated fees and credit any overpayment to: Fee Fee Deposit Account Number 19-0036 Code (\$) Code (\$) **Fee Description** Fee paid Deposit Account Sterne, Kessler, Goldstein & Fox P.L.L.C. 105 130 205 65 Surcharge - late filing fee or oath 25 Surcharge - late provisional filing fee or cover sheet 127 50 227 Charge Any Additional Fee Required 130 Non-English specification Under 37 CFR §§ 1.16 and 1.17 139 130 139 2,520 147 147 2,520 For filing a request for ex parte reexamination Applicant claims small entity status See 37 CFR 1.27 920* Requesting publication of SIR prior to Examiner 112 112 920* Requesting publication of SIR after Examiner action 113 1.840* 113 1.840* ☑ Check ☐ Credit card ☐ Money Order ☒ Other* Extension for reply within first month 115 110 215 *Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036. 400 216 200 Extension for reply within second month \$200.00 116 FEE CALCULATION 1. BASIC FILING FEE 117 920 217 460 Extension for reply within third month Extension for reply within fourth month 1.440 218 118 720 **Entity Small** Entity arge Fee Description Fee Paid 128 1,960 228 980 Extension for reply within fifth month (\$) Code (\$) Code 119 320 219 160 Notice of Appeal 101 740 201 370 Utility filing fee 106 330 206 165 Design filing fee 120 320 220 160 Filing a brief in support of an appeal 107 510 207 255 Plant filing fee 121 280 221 140 Request for oral hearing 108 370 740 208 Reissue filing fee 138 1.510 138 1.510 Petition to institute a public use proceeding 114 160 Provisional filing fee 140 110 240 Petition to revive - unavoidable 141 1,280 241 640 Petition to revive - unintentional SUBTOTAL (1) (\$) 142 1.280 242 640 Utility issue fee (or reissue) 143 460 243 230 Design issue fee 11/11/2002 SDENBOB1 00000122 190036 09323206 144 620 244 310 Plant issue fee C:2252 200.00 CH 122 130 122 Petitions to the Commissioner 130 **EXTRA CLAIM FEES** Fee from 123 130 123 130 Petitions related to provisional applications Fee Paid 126 180 126 180 Submission of Information Disclosure Stmt \$180.00 Total Claims ___24__ - 33** = 581 40 481 40 Recording each patent assignment per Indep. Claims 7 property (times number of properties) 146 740 246 370 Filing a submission after final rejection Multiple Dependent (37 ČFR 1.129(a)) Entity For each additional invention to be examined (37 CFR 1.129(b)) arge Entity Small 149 740 249 370 Fee Description Code (\$) Code (\$) 179 740 279 370 Request for Continued Examination (RCE) 03 203 18 9 Claims in excess of 20 02 42 84 202 Independent claims in excess of 3 169 900 169 900 Request for expedited examination of a design application 04 280 204 Multiple dependent claim Other fee (specify): 08 84 209 **Reissue independent claims over original patent
**Reissue claims in excess of 20 and over 10 18 210 Other fee (specify): original patent SUBTOTAL (2) (\$)_ Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)180.00 or number previously paid, if greater; For Reissues, see above SUBMITTED BY Complete (if applicable)

Signature Date 02 WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are recomplete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS TO: Assistant Commissioner for Patents, Washington, DC 20231.

Registration No.

36.013